



PATENT  
TUC920000050US1  
0018.0082

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ) Examiner: Not Yet Assigned  
B.G. Goodman )  
Serial No.: 09/755,832 )  
Filed: January 5, 2001 ) Art Unit: 2152  
For: AUTOMATIC FIRMWARE )  
UPDATE OF PROCESSOR )  
NODES )  
)

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Assistant Commissioner of Patents  
Washington, D.C. 20231

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

Dear Sirs:

In accordance with 37 CFR §§ 1.56, 1.97, and 1.98, enclosed please find Form PTO-1449 listing the attached references which might be deemed material to the examination of the above-identified application.

A. Non-English Language References

- Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- The specification incorporates comments on the relevancy of Non-English language references.
- Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

B.  The information disclosure statement submitted herewith is being filed

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- 1) within three months of the filing date of a national application other than a continued prosecution application under 1.53(d);
- 2) within three months of the date of entry into the national stage as set forth in 1.491 in an international application;
- 3) before the mailing date of a first Office Action on the merits; or
- 4) before the mailing date of a first Office Action after filing of a Request for Continued Examination under 1.114.

C.  The information disclosure statement transmitted herewith is being filed *after* the period specified in paragraph B, but before the mailing date of a final action under 1.113, a Notice of Allowance under 1.311, or an action otherwise closing prosecution, and is accompanied by:

- 1) a Statement under 1.97(e); or
- 2) a fee of \$180 as set forth in 1.17(p).

D.  The information disclosure statement transmitted herewith is being filed *after* the period specified in paragraph C, but before payment of the issue fee, and is accompanied by:

- 1) a Statement under 1.97(e); and
- 2) a fee of \$180 as set forth in 1.17(p).

#### **STATEMENT UNDER 1.97(e)**

I, the person signing below, certify

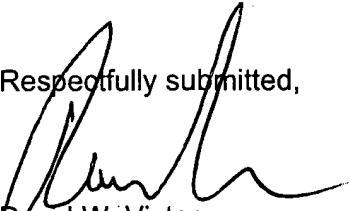
that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after

making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

If required under paragraph B or C *supra*, enclosed is Applicant's check in the amount of \$180 as set forth in 1.17(p). Please charge any insufficiency or credit any overpayment to Deposit Account No. 50-0585. A duplicate of this letter is enclosed for fee processing.

Respectfully submitted,

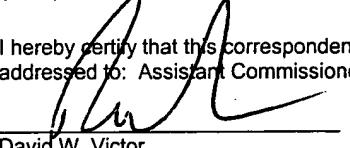
  
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Dated: October 19, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on October 19, 2001.

  
David W. Victor

10/19/01  
(Date)

## INFORMATION DISCLOSURE IN AN APPLICATION

*(Use several sheets if necessary)*

**Docket Number**  
TUC920000050US1

Application Number  
09/755,832

**Applicant**  
B.G. Goodman

**Filing Date**

## Group Art Unit 2152

U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	<p>U.S. Patent Application Serial No. 09/573,530, filed on 05/19/00, entitled, "High Availability Work Queuing in an Automated Data Storage Library", invented by B.G. Goodman and L.G. Jesionowski, including Amendments to Claims dated August 7, 2001.</p>

**EXAMINER**

**DATE CONSIDERED**

**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.